

**Town of Underhill
Development Review Board Minutes
October 17, 2016**

Board Members Present:

Charles Van Winkle, Chairperson
Mark Green
Mark Hamelin
Shanie Bartlett
Penny Miller

Staff/Municipal Representatives Present:

Andrew Strniste, Planning Director

Others Present:

Marcy Gibson (48 New Road)
Kevin Gibson (48 New Road)
Olivia Gibson (48 New Road)
Kaleam Gibson (48 New Road)
Gunner McCain (93 S. Main St., Waterbury, VT)

6:30 PM – 10/17/2016 DRB Public Hearing

- DRB Members convened at Town Hall at 6:30 PM. Chair Van Winkle called the meeting to order.
- Chair Van Winkle asked for public comment. No public comments were provided.

6:35 PM – Gibson –Subdivision Revision Review NR050 (50 New Road) Docket# DRB 16-09

- [6:35] Chair Van Winkle began the hearing by explaining the procedure for a subdivision revision review. The applicant's engineer Gunner McCain was before the Board on behalf of Marcy Gibson, the applicant, for the proposed subdivision revision to relocate the previously approved building envelope located at 50 New Road. The applicant and her engineer were in attendance. Also in attendance were members of the applicant's family.
- [6:38] Chair Van Winkle swore in the hearing participants. No conflicts of interest were present, and therefore, no recusals occurred.
- [6:39] Staff Member Strniste entered Exhibit S – Amendment to WW-4-2964 Worksheet into the record.
- [6:39] Mr. McCain provided an overview of the project, stating that the applicant was proposing to move the house to where the original leach field was, and move the leach field downhill. He continued to state that very few offsite locations can view the house in its new location.
- [6:40] Chair Van Winkle inquired about the application that was submitted for a revised water/wastewater system. Mr. McCain confirmed that an application has been submitted to revise the water/wastewater system, and that an amendment to an act 250 permit has also been submitted.
- [6:41] Chair Van Winkle asked either the applicant or consultant to reach out to the McClellans, the abutting property owners, to discuss the concerns that they submitted to the Board regarding the well shield. Mr. McCain stated that the well shield would only extend into the McClellans property by 50 ft., and therefore, would not significantly impact the use of their land. Ms. Marcy Gibson stated that the area the well shield would impact was wetlands, and therefore, likely to be area where the McClellans could not otherwise develop.
- [6:43] Staff Member Strniste stated that the previously approved access permit would need to be amended to reflect the driveway extension. He stated that he would not be able to

administratively approve an access permit amendment if the grade of the driveway remained over 10%. He then asked Mr. McCain to submit a letter stating that the stormwater runoff will not be altered as a result of the driveway extension, which should be accompanied with the access permit amendment.

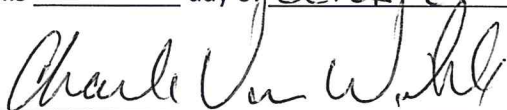
- [6:45] Mr. McCain stated that there will be no additional impact to the drive that was approved in 2011 subdivision review process.
- [6:45] Board Member Miller asked about the policy regarding avoiding development on steep slopes. Board Member Hamelin responded by stating that development on steep slopes creates more of a disturbance, and that the policy restriction seemed to be an item that more and more towns are implementing. Mr. McCain stated that there seems to be a connection between prime agriculture relevance and steep slopes. He also stated that the state allows development on a slope of less than 30% where most municipalities are restricting development on slopes of a lesser grade.
- [6:48] Chair Van Winkle took comments from the public. Mr. Kevin Gibson stated that he intends on living at the property in question, and that Mr. McCain expressed everything that needed to be said.
- [6:49] Chair Van Winkle asked if the Board had enough information to make a decision about the application. The entirety of the Board answered yes. Chair Van Winkle asked for a motion to close the evidentiary part of the hearing. Board Member Miller made the motion to close the evidentiary part of the hearing, which was seconded by Board Member Hamelin. Motion passed unanimously.
- [6:50] Chair Van Winkle took a straw vote for approving the subdivision revision. All were in favor.
- [6:51] Chair Van Winkle asked for a motion to move into closed deliberative session. Board Member Hamelin made the motion to move into closed deliberative session, which was seconded by Board Member Miller. Motion passed unanimously.

These meeting minutes reflect a summary of the topics discussed at the Monday, October 17, 2016 hearings. An audio recording of the hearing is available to the public.

Submitted by:

Andrew Strniste, Planning Director

These minutes of the 10/17/2016 meeting of the DRB were accepted
this 31 day of OCTOBER, 2016.



Charles Van Winkle, Chairperson